



ARIZONA STATE SENATE
Fifty-Second Legislature, Second Regular Session

FACT SHEET FOR H.B. 2374

child prostitution; offense

Purpose

Establishes a new child prostitution offense, knowingly providing the means by which a minor engages in prostitution.

Background

Under current statute, *prostitution* means engaging in or agreeing or offering to engage in sexual conduct under a fee arrangement with any person for money or any other valuable consideration.

A person commits child prostitution by knowingly: 1) causing any minor to engage in prostitution; 2) using any minor for the purposes of prostitution; 3) permitting a minor who is under the person's custody or control to engage in prostitution; 4) receiving any benefit for procuring or placing a minor in any place or in the custody of any person for the purpose of prostitution; 5) receiving any benefit pursuant to an agreement to participate in the proceeds of prostitution of a minor; 6) financing, managing, supervising, controlling or owning, either alone or in association with others, prostitution activity involving a minor; or 7) transporting or financing the transportation of any minor with the intent that the minor engage in prostitution. Engaging in one of these acts is a class 2 felony (A.R.S. § 13-3212).

According to A.R.S. § 13-3212, if a person commits child prostitution and the minor is 15, 16 or 17 years of age, the presumptive sentences are 13.5 years for a first-time conviction, 24 years if there was a prior felony conviction and 31 years if there were multiple prior felony convictions without eligibility for suspension of sentence, probation, pardon or release from confinement. Child prostitution, if the child is under 15 years of age, is a dangerous crime against children, the presumptive sentences for which are 20 years for a first-time conviction, 30 years if there was a prior felony conviction and life if there were multiple prior felony convictions (A.R.S. § 13-705). H.B. 2374 adds a new child prostitution offense punishable as specified above.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

FACT SHEET

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1. Expands the child prostitution offense to include knowingly providing the means by which a minor engages in prostitution.

2. Becomes effective on the general effective date.

House action

JUD 01/20/16 5-0-0-1-0 DP

3rd Read 01/28/16 57-0-3-0-0

Prepared by Senate Research

February 23, 2016

AW/AS/rf